

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

BIOVAIL LABORATORIES INTERNATIONAL SRL	)	
a corporation of Barbados,	)	
	)	
Plaintiff,	)	C.A. No. 05-586 (GMS)
	)	C.A. No. 05-730 (GMS)
v.	)	C.A. No. 06-620 (GMS)
	)	(CONSOLIDATED)
ANDRX PHARMACEUTICALS, LLC and	)	
ANDRX CORPORATION,	)	
	)	
Defendants.	)	

**FINAL JOINT CLAIM CONSTRUCTION CHARTS**

The parties have met and conferred, and present the following Joint Claim Construction Charts pursuant to paragraph 1 of the Court's Fifth Revised Scheduling Order (D.I. 137).

I. **Stipulated Constructions.** During the meet and confer process, the parties agreed on the constructions for the claim terms of U.S. Patent No. 5,529,791 (the "'791 patent"), and U.S. Patent No. 7,108,866 (the "'866 patent") set forth in Exhibit A. The parties jointly and respectfully request that, if the Court deems it appropriate, the Court include the list of agreed-upon claim constructions in the ultimate claim construction order. In the alternative, the parties agree that this list of agreed-upon claim terms and constructions is a binding stipulation between the parties.

II. **Claim Terms Requiring Construction By The Court.** The parties' Joint Claim Construction Chart for the '791 and '866 patents is attached as Exhibit B. This chart identifies the disputed claim terms in each patent, the parties' proposed constructions for the disputed claims terms, and the parties' identification of the intrinsic evidence in support of its proposed construction.

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